IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISCELLANEOUUS APPLICATION NO. 150 OF 2006

Shri Tanmay Kholkar,
Panaji Goa. ... Applicant

versus

Mr. Shiv Malik and
another. ... Respondent

Mr. Siddharth Kalshavkar, Advocate holding for Mr. Shivan Dessai, Advocate for the Applicant.

CORAM : N. A. BRITTO, J.

DATE : 16TH MARCH, 2006.

P.C.:-

Heard Mr. Siddharth Kalshavkar, learned Counsel on behalf of the applicant. The applicant is A-3 in C.C.108/2003/C against whom process has been issued by the learned J.M.F.C. under Sections 403, 405 and 420 I.P.C. The applicant has invoked the extraordinary jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, 1973. An order issuing process is revisable and a revision can be filed before a Court of Sessions, as held by this Court in the case of Dr. Mohan N. Bhave(Cri.M.A.No.52/2005 decided on 6-4-2005) V. K. Jain

and others(05(2) Bom.C.R. Cri.738) and by the Supreme Court Court in the case of **State of Gujarat** v. **Salimbhai Abdulgaffar Shaikh and others**((2003) 8 SCC 50. In the light of that, the applicant will be at liberty to file appropriate application for revision before the Court of Sessions. In case of delay, the applicant is at liberty to file an application to condone the same.

With the above observation, the application is disposed of.

N. A. BRITTO, J.

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